

Mr. Varlan's impressive accomplishments include serving as law director for the city of Knoxville for a decade. In that capacity, he headed a department of 25 employees who represented the city in a variety of cases and provided legal advice to city officials.

Mr. Varlan's wealth of experience has made him an excellent nominee who is well prepared to handle the rigors of the Federal bench. Clearly, Mr. Varlan is the right choice to be a judge in the Eastern District of Tennessee. I am pleased my colleagues joined me in voting to confirm him.

Mr. FRIST. Mr. President, I am in strong support for the confirmation of Thomas Varlan to be a United States District Judge for the Eastern District of Tennessee.

Tom grew up in Knoxville, TN as a second-generation Greek-American. His parents, Alexander and Constance Varlan, instilled in their son the time-honored ideals of commitment to hard work, involvement in the community, and love for country.

He put those ideals to work in his studies of Political Science and Economics at the University of Tennessee in Knoxville, and at Vanderbilt University's School of Law, where he was the managing editor of the Vanderbilt Law Review. From there, Tom practiced law in Atlanta from 1981 to 1987. In 1988, Tom began ten years of service as Law Director for the City of Knoxville where he was responsible for a wide range of legal issues. In this role, Tom demonstrated his keen legal mind and temperament suited to judicial office.

Tom's current position as a partner at Bass, Berry and Sims has enhanced his solid background in the law. Tom Varlan is a skilled attorney who is known for his fairness, integrity and dedication to the law.

Tom has worn many hats in his professional life, but he has never wavered from the ideals that he grew up with. In fact, his nomination fulfills not only the dreams of his first-generation American parents, I believe it epitomizes the American dream as well.

I am convinced that Mr. Varlan will make an ideal judge, and he has my highest recommendation and unqualified support. I urge my colleagues to vote for his confirmation.

The PRESIDING OFFICER. Under the previous order, the President will be notified of the Senate's action.

#### LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will now proceed to a period for the transaction of morning business.

The Senator from Illinois.

#### CASTING OF 10,000TH VOTE

Mr. FRIST. Madam President, I wish to announce to my colleagues that a truly impressive milestone was just reached with this last vote. Senator LUGAR, on this vote just announced a few moments ago, cast his 10,000th vote as a U.S. Senator. That is a feat accomplished by just 21 other Senators in the history of this institution, the Senate.

Senator LUGAR's vote places him in the company of a distinguished list of Members which includes eight current Senators: Senators BIDEN, BYRD, DOMENICI, HOLLINGS, INOUE, KENNEDY, LEAHY, and STEVENS.

Most importantly, Senator LUGAR's achievement is a testament of his tremendous service, not only to his home State of Indiana but to the United States of America.

I ask all of my colleagues to join me in congratulating Senator LUGAR for his important milestone.

(Applause.)

The PRESIDING OFFICER. The Democratic leader.

Mr. DASCHLE. Madam President, I join the distinguished Republican leader in expressing my heartfelt congratulations to the senior Senator from Indiana, our colleague, DICK LUGAR.

He was sworn in on January 3, 1977. Over the course of these 10,000 votes cast, he has served as the chairman of the Senate Agriculture Committee and now serves as the chairman, as we all know, of the Foreign Relations Committee.

With those 10,000 votes, he has made a major impact on American history. I would be willing to bet that for every vote he has cast, he has made at least one more friend over all of these years. He may be a Republican and I may be a Democrat, but I have never been so appreciative of a relationship as a Senator as I have with Senator LUGAR. He has many more than 10,000 friends since he came to the Senate in 1977. So we congratulate him. We tell him of his great service to this country and our appreciation for that service. We hope that there will be many thousands more.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nebraska.

Mr. HAGEL. Madam President, I congratulate our dear colleague, Senator DICK LUGAR from Indiana, for his remarkable service to our country in many ways, not just through his leadership and years and votes in the Senate; prior to his time in the Senate, his service to our country in the U.S. Navy and all the other contributions he has made. It is a remarkable morning for our country to recognize this remarkable individual.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Madam President, I am overwhelmed by the thoughtfulness and graciousness of both leaders, my friends BILL FRIST and TOM DASCHLE. I thank both of them for those very wonderful comments.

I will take a moment, if I may, to thank some other people, people of Indiana, who made it possible for me to be in the Senate to cast the 10,000 votes, those who gave me their confidence, their support, and their prayers throughout the years.

I especially thank the Lord above for giving me good health throughout that period of time and who made it possible to do this.

I must pay tribute, as we all are doing today, to Lloyd Ogilvie whose personal counsel and support to me and my family during the past 8 years has meant so much.

Of course, behind all of this is the confidence and love of my wife Charlene, our boys, and their wives, who have really sustained me, who said this is something we ought to be doing, a commitment of our time and our lives in a way that has been exciting for me and I hope for them.

My staff has made it possible for me to get to the Chamber for all of these votes. Wherever we are in the country, in Washington or at the airport, each one of us is indebted to staff who tell us when the votes are going to occur and give us some reasonable idea about what is being voted on. I pay tribute to each one of those persons.

I pay tribute to colleagues who have sustained me each day with their loyal friendship, likewise the sheer vigor of the experience. I feel each day it is an adventure, and I am sure that is shared by each of the colleagues who are present today.

I want to mention specifically Senator ROBERT BYRD, who was the majority leader when I first came. One of the reasons my vote total escalated so rapidly was that in 1977 I think Senator BYRD created an all-time record of roll-call votes. I am certain he will remember exactly how many, but I recall there were at least 650, which was a substantial amount for a freshman Senator to start out with. So we have had some money in the bank ever since, thanks to Senator BYRD.

Finally, I want to thank the pages. They have played a very special role in these votes because, as some of my colleagues know, occasionally I go running out on The Mall. On several occasions I have been caught as far away as 14th Street or the Washington Monument when the beeper went off. I had to run swiftly. Fortunately, my pace is sufficient to get the mile and a half back to the Capitol during the time of the vote to scramble up the back stairs, but in a disheveled condition I have prevailed upon the pages to crack open the door, and the reading clerk has been kind enough to read my name so that I can peak through and keep this voting record alive.

So I thank all of you. I appreciate very much this moment today.

The PRESIDING OFFICER. The assistant minority leader.

Mr. REID. Madam President, while the two leaders are in the Chamber, it is my understanding that the leaders

are going to provide an opportunity for people who wish to give statements regarding Pastor Ogilvie—that the chairman of the Appropriations Committee is going to put that in booklet form. So is it fair to announce to everyone that they need not come now to give speeches regarding Pastor Ogilvie, that they will have an opportunity to give a speech later or insert something in the RECORD so Dr. Ogilvie will have all of these in one book?

Mr. FRIST. Madam President, that is correct. There has been an outpouring of feeling for our Chaplain on this very special day, 8 years after he first gave a prayer in this Chamber. With that outpouring of respect, people will be given the opportunity to provide their written statements. Of course, they are welcome to come and make statements, but we are encouraging people to make their written statements part of a permanent book that we will be giving him. We will have morning business and people can come to the Chamber. There will be other morning business conducted as well, but most of the tributes will be going into written form, and we encourage people to do just that.

The PRESIDING OFFICER. Under the previous order, the first 20 minutes shall be equally divided between the Senator from Nebraska and the Senator from North Dakota, with the rest of the time until 11:30 a.m. to be equally divided between the two leaders or their designees.

The Senator from North Dakota.

Mr. DORGAN. Madam President, I ask unanimous consent that during the 20 minutes I be notified when I have consumed 5, after which the Senator from Nebraska will be recognized for 5 minutes, following which the Senator from South Dakota, Mr. JOHNSON, for 5 minutes, following that Senator BROWNBACK from Kansas for 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### THE NEW HOMESTEAD ACT

Mr. DORGAN. Madam President, at a time when there is so much discussion about partisanship, let me describe legislation introduced in the Senate yesterday now called S. 602, which is truly bipartisan. We call it the New Homestead Act. Senator HAGEL, Senator JOHNSON, Senator BROWNBACK, I, and many others, Republicans and Democrats, have introduced legislation to address a very serious problem in the heartland of our country.

I will describe this problem by something a Lutheran minister from New England, ND, told me. She said: In this small town in southwestern North Dakota, in my church I officiate at four funerals for every wedding.

What does that describe? It describes a small town in a rural State where the population is getting older, where they have few young people, few marriages and few births, and where they are suffering from the out-migration of people.

I will describe what is happening in the heartland of America with this chart. The red on this chart shows the rural counties across America that have experienced greater than 10-percent net out-migration over the last 20 years. There is a relentless engine of depopulation in the heartland of our country. It is from North Dakota to Texas in an eggshell shaped form.

My home county is right in the southwestern corner of North Dakota. It is slightly larger than the State of Rhode Island. When I left it, there were 5,000 citizens living in that wonderful county. Now there are 2,700 citizens, and the demographers say by the year 2020 it will have 1,800 citizens. Trying to do business in that county and so many others in the heartland is like doing business in a deep recession.

Nearly a century and a half after we populated the heartland of America by something called the Homestead Act, which said, move here, become a part of this land, and we will give you the land, we are seeing this relentless depopulation. In these areas, we have communities that are wonderful places in which to live. In fact, people aspire to recreate what we have in other parts of the country—strong schools, a great place to raise kids, safe streets, and wonderful communities. Yet, these rural areas are being ravaged by the out-migration of people. It is ruining their economy.

The question is: Should we care? Do we care? Well, when our cities were decaying and America's cities were in trouble, as a national policy we rushed to say, let's save America's cities with the Model Cities Program, an urban renewal program. We pumped significant resources into those cities to save them.

The question now is: Will we save the heartland in our country? Does it matter? S. 602, bipartisan legislation called the New Homestead Act, says it matters.

What the heartland contributes to America is very important. We need to give people the tools to help rebuild their economies in the heartland. That is what our legislation does.

We do not have land to give away anymore. But we say to individuals and businesses, if you stay there, if you come there, if you build there, if you invest there, here are financial incentives for you. We can turn this around. That is what S. 602 is about. S. 602 says to people, it is in your interest to help us rebuild the economies of the States in the heartland.

The New Homestead Act offers tax and other financial rewards for individuals who commit to live and work in high out-migration rural areas. It provides help paying college loans, offers tax credits for home purchases, protects home values, and establishes Individual Homestead Accounts, the economic equivalent of giving them free land as we did a century ago.

S. 602 provides tax incentives for businesses to expand or locate in high

out-migration areas. Investment tax credits. Micro-enterprise tax credits. Accelerated depreciation.

Finally, a new homestead venture capital fund will help ensure that entrepreneurs and companies in these areas get the capital they need to start and grow their businesses.

We can do one of two things with respect to this problem in the heartland of America. We can sit here and gnash our teeth and wring our hands and say, this is awful. We can watch this depopulation continue for the next 20 or 50 years, and lose a significant and important part of our country's economy, or we can decide we are not going to let this happen, we are not going to be the frog in the pan of water on the stove only to find at this time it is too late to get out.

That is what this is all about. I am proud to work with my colleagues, Republicans and Democrats alike, to offer this legislation.

Mr. HAGEL. Madam President, I rise this morning to join my friend and colleague from North Dakota, Senator DORGAN, in introducing the new Homestead Act. We have heard from Senator DORGAN as to why many believe this issue, this challenge, needs attention. He laid some of those reasons out rather clearly.

Senator DORGAN and I and others introduced this legislation last year. The intent of this legislation is simple. It aims to help reverse the trend of population decline in rural areas and provide growth and opportunities in rural America. Many communities in rural America have not shared in the boom that has brought great prosperity to urban America. Instead, this out-migration of individuals and resources is taking a high toll on rural America. Over the last 50 years, nonmetropolitan counties in the Nation lost more than a third of their population, about 34 percent. Contrast this with the fact that during the same period the number of people living in metropolitan areas grew by over 150 percent.

Today, Nebraska is one of the States hardest hit by out-migration. Of 93 counties in Nebraska, 56 have lost at least 10 percent of residents due to out-migration over the past 2 years. According to the University of Nebraska report, most of these counties will see similar population losses over the next 2 decades without an expansion of non-agriculture industry.

Why are people leaving rural America? It is rather simple: For jobs and opportunities. One of the main provisions of our legislation addresses this issue by providing incentives to small businesses and other enterprises to locate and expand in rural areas. Small businesses are a critical element of the rural economy, as they are to all of America, accounting for nearly two-thirds of all rural jobs.

Our legislation builds upon the same spirit of the Homestead Act of 1862 which gave land to individuals who were willing to live and work in unsettled areas of the country. In fact, the